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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,806	12/29/2005	Heinz-Werner Morell	502901-215PUS	6493
27799	7590	10/02/2006	EXAMINER .	
COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			BUI, BRYAN	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/562,806

Applicant(s)

MORELL ET AL.

Examiner

Bryan Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/29/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs et al (EP 1189025 A2).

With respect to claim 10, Hobbs et al teach an angular rate sensor with a vibration gyroscope (tuning fork gyroscope) and circuits for operating the vibration gyroscope and for evaluating angular rate signals (figure 1, item 11); the circuits access modifiable data stored which is including a non-volatile memory being readable and writable and string including variable data (EEPROM; pars 0063-0080); the plurality of circuit further comprising means for reading the data from the non-volatile memory after switching on the rotation rate sensor (data, following calibration, is stored during adjusting angular rate or production data being read out during operation (once the sensor has been switched on, figures 8-10, pars 0063-0080); the data is divided into groups in the memory (par 0078, figure 9), and the non-volatile memory include measures for signal protection for each of the group, and being readable and writable to independently of the data in the other ones of the groups (data security measures, column 10, lines 1-43, and column 11, lines 26-38). Hobbs et al do not expressly disclose a checksum is formed for each data in each of the groups and stored in the

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volatile memory, the checksum being usable for checking the data during reading.

However, Hobbs et al teach the redundant data storage which indicating compensation data is stored redundantly at two locations in an internal memory (abstract, pars 0071-0072) in order to solve the problem of interest. It would have been obvious to one of ordinary skill in the art to realize that the redundant data storage as taught by Hobbs et al is such a way of checksum to verify the validity of data is read from each of the group (locations) as claimed, since both to be used to check the integrity of the data to improve the accuracy.

With respect to claims 11-16, Hobbs et al teach non-volatile memory comprises an EEPROM and non-volatile memory comprises a flash EEPROM (type of nonvolatile memory such a PC card that can be plugged into a PCMCIA slot; see figures 1, 10, item 26); wherein one of the groups includes adjustment data for the rotation rate sensor (par 0022); wherein one of the groups includes parameter sets for filters (par 0021); wherein one of the groups includes value limits for self-testing of the rotation rate sensor (pars 0023, 0034); wherein a software emulation (process initiating program) program is also stored in the non-volatile memory (pars 0082-0083; figs 8-10).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is 571-272-2271. The examiner can normally be reached on M-Th from 7am-4pm, and Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BB

9/27/2006

BRYAN BUI  
PRIMARY EXAMINER

